

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

VITALY KOLOSHA,

Petitioner,

vs.

UNITED STATES, PRESIDENT JOE
BIDEN, and BUREAU OF PRISONS,

Respondents.

8:24CV457**MEMORANDUM AND ORDER**

This matter is before the Court on the notice of change of address filed by Petitioner on February 4, 2025. [Filing No. 6](#). On January 17, 2025, the Court entered a Memorandum and Order, [Filing No. 5](#), transferring this matter to the United States District Court for the Western District of Oklahoma due to lack of jurisdiction in this Court and because, according to the Petition, Petitioner was in custody at the Joseph Harp Correctional Center in Lexington, Oklahoma, [Filing No. 1 at 2](#), in Cleveland County, which sits within the Western District of Oklahoma. *See 28 U.S.C. § 116(c)*. Pursuant to the Court's normal case processing procedures, the case is being held for thirty days before effectuating the transfer. Petitioner now informs the Court that he is currently confined in the Howard McLeod Correctional Center in Atoka, Oklahoma, [Filing No. 6](#), located in Atoka County, which sits within the Eastern District of Oklahoma. *See 28 U.S.C. § 116(b)*.

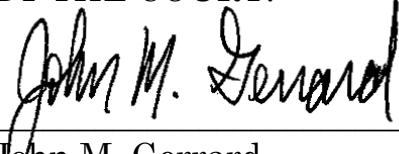
As Atoka, Oklahoma, where Petitioner is housed, sits within the jurisdiction of the United States District Court for the Eastern District of Oklahoma, the Court finds that transfer of this matter to that court, as opposed to the Western District of Oklahoma, is appropriate. Accordingly,

IT IS THEREFORE ORDERED that:

1. The Court's January 17, 2025, Memorandum and Order, [Filing No. 5](#), is modified to the extent that this case now is transferred to the United States District Court for the Eastern District of Oklahoma for further proceedings. This case remains terminated in this district.
2. The Clerk of Court is directed to take all necessary steps to transfer this matter to the United States District Court for the Eastern District of Oklahoma in accordance with the Court's normal case processing procedures.

Dated this 4th day of February, 2025.

BY THE COURT:



John M. Gerrard
Senior United States District Judge